

Message Text

UNCLASSIFIED

PAGE 01 ROME 09057 011725Z

42

ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 L-03 SS-15 NSC-10 CAB-09 CIAE-00

COME-00 DODE-00 INR-10 NSAE-00 RSC-01 FAA-00 SSO-00

NSCE-00 INRE-00 DOTE-00 RSR-01 PRS-01 IO-13 AF-10

ARA-16 EA-11 NEA-10 SCA-01 JUSE-00 PA-03 USIE-00 /151 W

----- 119789

O R 011632Z SEP 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC IMMEDIATE 0560

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMCONSUL MONTREAL

USUN NEW YORK 1654

UNCLAS ROME 9057

E.O. 11652: N/A

TAGS: ICAO, ETRN

SUBJ: ICAO AIR SECURITY CONFERENCE: SOVIET PROTOCOL

MONTREAL FOR US REP ICAO

PLS PASS: LITTELL/CAB; DRISCOLL/DOT; STEWART/FAA

1. FOLLOWING IS TEXT OF SOVIET PROTOCOL TO HAGUE
CONVENTION:

BEGIN TEXT. QTE SUPPLEMENTARY PROTOCOL TO THE CONVENTION
FOR THE SUPPRESSION OF UNLAWFUL SEIZURE OF AIRCRAFT SIGNED
AT THE HAGUE ON 16 DECEMBER 1970.

THE UNDERSIGNED GOVERNMENTS, BELIEVING IT ESSENTIAL TO
SUPPLEMENT THE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL
SEIZURE OF AIRCRAFT SIGNED AT THE HAGUE ON 16 DECEMBER
1970, HEREINAFTER REFERRED TO AS QTE THE CONVENTION UNQTE,
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 ROME 09057 011725Z

ARE AGREED AS FOLLOWS:

ARTICLE 1

REPLACE ART. 8, PARA 2 OF THE CONVENTION AS FOLLOWS:

2. EACH CONTRACTING STATE UNDERTAKES TO RETURN OFFENDERS TO THE STATE OF REGISTRATION OF THE AIRCRAFT OR TO THE STATE REFERRED TO IN ART. 4, PARA 1(C) OF THE CONVENTION WHEN SO REQUESTED BY IT, EXCEPT WHERE THE PERSONS CONCERNED ARE NATIONALS OF THE STATE ON THE TERRITORY OF WHICH THE OFFENDER IS PRESENT. EXTRADITION SHALL BE SUBJECT TO THE OTHER CONDITIONS PROVIDED BY THE LAW OF THE REQUESTED STATE.

IF A CONTRACTING STATE WHICH MAKES EXTRADITION CONDITIONAL ON THE EXISTENCE OF A TREATY RECEIVES A REQUEST FOR EXTRADITION FROM ANOTHER CONTRACTING STATE WITH WHICH IT HAS NO EXTRADITION TREATY, IT SHALL CONSIDER THIS CONVENTION AS AN EXTRADITION TREATY IN RESPECT OF THE OFFENCE.

ARTICLE 2

BETWEEN THE PARTIES TO THIS PROTOCOL, THE CONVENTION AND PROTOCOL SHALL BE READ AND INTERPRETED TOGETHER AS A SINGLE DOCUMENT AND BE KNOWN AS THE HAGUE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL SEIZURE OF AIRCRAFT SIGNED AT THE HAGUE ON 16 DECEMBER 1970 AS AMENDED AT ROME ON.....

ARTICLE 3

1. UP TO THE DATE OF ENTRY INTO FORCE OF THIS PROTOCOL IT SHALL BE OPEN FOR SIGNATURE ON BEHALF OF ANY STATE PARTY TO THE CONVENTION. FOLLOWING THE ENTRY INTO FORCE OF THE PROTOCOL IT SHALL BE OPEN FOR ACCESSION BY ANY STATE.

2. ACCESSION TO THIS PROTOCOL BY ANY STATE WHICH IS NOT A PARTY TO THE CONVENTION SHALL MEAN ACCESSION TO THE CONVENTION AS AMENDED BY THIS PROTOCOL.

ARTICLE 4

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 ROME 09057 011725Z

1. THIS PROTOCOL IS SUBJECT TO RATIFICATION BY THE SIGNATORY STATES. THE INSTRUMENTS OF RATIFICATION SHALL BE DEPOSITED WITH THE DEPOSITORY GOVERNMENTS OF THE HAGUE CONVENTION OF 1970.

2. THIS PROTOCOL SHALL ENTER INTO FORCE THIRTY DAYS FOLLOWING THE DATE OF DEPOSIT OF INSTRUMENTS OF RATIFICATION

BY FIVE STATES SIGNATORY TO THIS PROTOCOL. FOR OTHER STATES, IT SHALL ENTER INTO FORCE THIRTY DAYS FOLLOWING THE DATE OF DEPOSIT OF THE INSTRUMENT OF ACCESSION TO THE PROTOCOL.

ARTICLE 5

THE DEPOSITORY GOVERNMENTS SHALL PROMPTLY NOTIFY ALL SIGNATORY AND ACCEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR ACCESSION, THE DATE OF ENTRY INTO FORCE OF THE PROTOCOL, AND OTHER NOTICES.

ARTICLE 6

AS SOON AS THIS PROTOCOL COMES INTO FORCE, IT SHALL BE REGISTERED BY THE DEPOSITORY GOVERNMENTS PURSUANT TO ART. 102 OF THE CHARTER OF THE UNITED NATIONS AND PURSUANT TO ART. 83 OF THE CONVENTION ON INTERNATIONAL CIVIL AVIATION (CHICAGO, 1944).

ARTICLE 7

1. ANY CONTRACTING STATE MAY DENOUNCE THE PROTOCOL BY WRITTEN NOTIFICATION TO THE DEPOSITORY GOVERNMENTS.
2. DENUNCIATION SHALL TAKE EFFECT SIX MONTHS FOLLOWING THE DATE ON WHICH NOTIFICATION IS RECEIVED BY THE DEPOSITORY GOVERNMENTS.
3. BETWEEN PARTIES TO THIS PROTOCOL DENUNCIATION OF THE CONVENTION IN ACCORDANCE WITH ART. 14 OF THE CONVENTION SHALL NOT BE INTERPRETED IN ANY CIRCUMSTANCES AS DENUNCIATION

UNCLASSIFIED

PAGE 04 ROME 09057 011725Z

OF THE CONVENTION AS AMENDED BY THIS PROTOCOL.

IN WITNESS WHEREOF, THE UNDERSIGNED PLENIPOTENTIARIES, BEING DULY AUTHORIZED THERETO BY THEIR GOVERNMENTS, HAVE SIGNED THIS PROTOCOL. END TEXT.

2. TEXT OF PROTOCOL TO MONTREAL IS SAME AS PROTOCOL TO HAGUE EXCEPT FOR APPROPRIATE CHANGES IN REFERENCE TO THE SPECIFIC CONVENTION, ARTICLE CITATIONS AND ARTICLE 1.

ARTICLE 1 READS AS FOLLOWS:

BEGIN TEXT:

REPLACE ARTICLE 8, PARAGRAPH 2 OF THE CONVENTION AS FOLLOWS:

2. THE CONTRACTING STATES UNDERTAKE TO EXTRADITE PERSONS GUILTY OF THE OFFENSES REFERRED TO IN ARTICLE 1 OF THE CONVENTION TO THE STATE OF REGISTRATION OF THE AIRCRAFT OR TO THE STATE REFERRED TO IN ARTICLE 5, PARAGRAPH 1(C) OF THE CONVENTION, EXCEPT WHERE THE PERSONS CONCERNED ARE NATIONALS OF THE STATE ON THE TERRITORY OF WHICH THE OFFENDER IS PRESENT. EXTRADITION SHALL BE SUBJECT TO THE OTHER CONDITIONS PROVIDED BY THE LAW OF THE REQUESTED STATE.

IF A CONTRACTING STATE WHICH MAKES EXTRADITION CONDITIONAL ON THE EXISTENCE OF A TREATY RECEIVES A REQUEST FOR EXTRADITION FROM ANOTHER CONTRACTING STATE WITH WHICH IT HAS NO EXTRADITION TREATY, IT SHALL CONSIDER THIS CONVENTION AS AN EXTRADITION TREATY IN RESPECT OF THE OFFENCE.
END TEXT.VOLPE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 01 SEP 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973ROME09057
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: ROME
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730958/aaaabqnq.tel
Line Count: 185
Locator: TEXT ON-LINE
Office: ACTION EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: martinjw
Review Comment: n/a
Review Content Flags:
Review Date: 17 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17-Aug-2001 by reddocgw>; APPROVED <28-Jan-2002 by martinjw>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ICAO AIR SECURITY CONFERENCE: SOVIET PROTOCOL MONTREAL FOR US REP ICAO
TAGS: ETRN, UR, ICAO
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005